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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 16TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR. JUSTICE H.L. DATTU

WRIT PETITION NOS. 15722 TO 15735/1998

BETWEEN:

- 21
1. B.R. Jyothi
D/o late B. Ramaswamy
43 yrs. M/s Vinay
Enterprises, D.No.659
Kematageri, Mandi Mohalla
Mysore.
 2. Vasantha S.
S/o Sampath Ramachandraiah
51 yrs. M/s Gopal Elec-
tricals, D.No.32
"Kousthubha", Kamakshi
Hospital Road, Kuvempu
Nagar, Mysore.
 3. K. Ravi
S/o P. Kannan, 33 yrs.
M/s Sri Mookambika Elec-
tricals, No.1020
Sri Ramapura, II Stage
IV Cross, Mysore.
 4. B. Mallikarjunappa
S/o Basavanna, 34 yrs.
M.R.V. Electricals
D.No.765, 6th Cross
A & F Block, Ramakrishna
Nagar, Mysore.
 5. Mohammed Khaleel
S/o late Ahamedh Hussain
58 yrs. M/s Kamar Elec-
tricals, D.No.249
Madeena Circle, Udayagiri
Mysore.
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6. N.R. Krishna Murthy
S/o Rajanna, 38 yrs.
R/o D.No.1046, 11 Main
S.J.R. Road, Vidyaranya
Puram, Mysore-8.
 7. Maqubool Pasha
S/o Rahaman Sharief
48 yrs. Ms M.R.S. Elec-
tricals, D.No.2458/1,
Brekatte Street, Lashkar
Mohalla, Mysore.
 8. S. Sathyanarayana
S/o D. Subba Krishna
29 yrs. Lakshminarayan
Electricals, D.No.90
8th Main, Opp. Govt.
Primary School, Vinayaka-
nagara, Mysore.
 9. B.S. Nagaraj
S/o K. Siddaiah, 30 yrs.
Dharmashiva Electricals
D.No.95, 10th Cross
Navilu Road, A & B. Block
Kuvempunagar, Mysore.
 10. Selva Raju
S/o Philomina Raj
28 yrs. Selvaraj Elec-
tricals, D.No.4005
I Main, Shivayogi Road
Gandhinagar, Mysore.
 11. R. Mahadev
S/o Ramanna, 25 yrs.
Bhagyalakshmi Electricals
D.No.4814, Rajendra Nagar
Main Road, Mysore.
 12. Siraj Ahamed
S/o Abdul Zabbar
32 yrs. Jidda Elec-
tricals, D.No.1125/12
8th Main, S.J. Hostel
Road, Vidyaranyapuram
Mysore-8.
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13. Nissar Pasha
S/o Syed Khutubuddin
34 yrs. Opp.S.R.S.
Colony, Hunsur Road
Hoologally, Mysore-86.

14. Mohammed Hayath
S/o Mohammed Yaqub
51 yrs. Rahamath Elec-
tricals, Badamakam Tippu
Circle, N.R. Mohalla
Mysore.

.... Petitioners.

(By Sri R. Gururajan, Adv.)

AND:

1. Karnataka Electricity Board
A Statutory Board
having its offices at
Cauvery Bhavan, B'lore-9
reptd. by its Addl. Secretary.

2. Chief Electrical Inspector
Govt. of Karnataka
K.R. Circle, Bangalore-1.

.... Respondents.

(By Sri N.K. Gupta, Adv.)

These W.Ps. are filed under Art.226 of the Constitution of India, praying to quash Annexure C dated 28.1.1998, etc.

These W.Ps. coming on for Orders this day, the Court made the following:

ORDER

Since common questions of fact and law are involved in all these writ petitions, they are clubbed, heard and disposed of by this common order.

2. Petitioners in all these writ petitions are licensed electrical Contractors. They are all before this Court interalia questioning the legality

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or otherwise of the deletion of the words Contractor/ Supervisor in Regulation 4.02 as amended and published in the notification dated 28.1.1998 by the respondent-Board. Further, they are seeking for a direction to the respondents to maintain the previous requisition form for supply of energy under clause VI(5) of the Schedule of Indian Electricity Act, 1910 and to dis-continue the usage of the present form that is being supplied by the respondent-Board which has been produced as Annexure 'A' to the writ petitions;

3. In so far as the first relief is concerned, both sides would agree that the issues raised in these writ petitions are identical with the issues raised and considered by this Court in W.P.8004/1998 disposed of on 23.3.1998. Respectfully following the observations made therein, the first relief sought for by the petitioners in these writ petitions are rejected.

4. In so far as second relief that is sought in these writ petitions are concerned, the respondent-Board through its additional Secretary has filed an affidavit. The said affidavit reads as under:

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"I am filing this Affidavit placing on record that it is open to all the prospective consumers in Karnataka while submitting the printed application seeking for power supply, to furnish the name of the Contractor and other particulars of the Contractor as Annexure to the printed prescribed form and the said Annexure will be considered as part of the printed prescribed form printed and supplied."

5. In view of this categorical undertaking made by the Additional Secretary dated 16.6.1998 of the respondent-Board, in my view, even the second relief sought for by the petitioners in these writ petitions does not survive for consideration. Accordingly, it is rejected.

6. With these observations and directions, these writ petitions are disposed of.

7. Sri N.K. Gupta, learned Counsel is directed to file his memo of appearance within six weeks from today. Ordered accordingly.

Sd/-
JUDGE

EMM/17061998

